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the
artist
now!**

Frequently Asked Questions

CONCERNING THE GUIDELINES AND FEE CHART FOR FAIR REMUNERATION
FOR SELF-EMPLOYED LABOUR IN THE VISUAL ARTS

Published by
IG Bildende Kunst and
Künstler:innen Vereinigung Tirol

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Frequently Asked Questions

Concerning the Guidelines and Fee Chart for fair remuneration for self-employed labour in the visual arts

1. Why the need for Guidelines and a Fee Chart for fair remuneration for self-employed labour in the visual arts? An outline of a problematic issue:

(Visual) Artists are frequently told that the opportunity to present their work is reward enough. This attitude is so pervasive that many artists are still afraid to charge a fee, or settle for inadequate sums. In addition to exhibitions, funded projects – partly location-related, partly occasion-related – are important for visual artists. However, certain project funding programmes explicitly rule out fee invoices for the funding recipients. The funding may be exclusively used for production costs, but not for one's own work and therefore neither for living expenses. Similarly, production budgets of exhibition venues and festivals rarely include substantial artist fees.

Artists regularly tell us that they have to raise the issue of the fee themselves, typically followed by irritation and rejection. There is considerable concern that demanding fair remuneration might jeopardize cooperations. Accordingly, these apprehensions lead to (self-)exploitation. At the same time, there is a scarcity of calculation aids to help artists – especially young professionals – calculate adequate remuneration. Basic business knowledge is still missing or neglected in the artistic training curriculum. Securing a livelihood through income earned for artistic activity remains a taboo topic in the art and culture industry.

The analysis of income data demonstrates the consequences of the status quo. Visual artists are typically self-employed and, according to a recent study on the social situation of artists as well as art and cultural mediators (2018)¹, have the lowest income of all branches. Half of visual artists earn less than EUR 3,500 net per year with their art. The median annual net income from all activities (artistic, art-related, and art-unrelated) is EUR 11,000. Visual artists,

¹ <https://www.bmkoes.gv.at/Service/Publikationen/Kunst-und-Kultur/berichte-studien-kunst.html>

who exclusively work as artists full-time, earn a median income² of EUR 8,800 per year – even though 64% percent are university graduates.

Many visual artists depend on other forms of gainful employment in addition to their artistic activity in order to secure their livelihood. This in turn leads to structural disadvantages in the art field: lower artistic productivity and reduced flexibility in terms of travels and stays abroad due to additional jobs and/or care work does not fit the image of the prolific, “aspirational” artist. Periods of parental leave and “delayed” careers result in additional exclusion via age limits for funding and grants.

The *Guidelines* are intended to present a way to achieve adequate remuneration and an aid for calculating fair remuneration for exhibitions, events, and other projects in the visual arts.

We are aware that it is still unfeasible for many in the independent scene to implement the recommended figures. With the demand for adequate remuneration, however, we want to invite artists and everyone working professionally with visual artists to collaborate in the effort of establishing fair remuneration and to use the non-binding recommendations as a calculation aid in order to jointly and consistently highlight the financial requirements, e.g. with regard to funding applications.

This goes hand in hand with the demand for a significant increase in public spending on arts and culture, from the current 0.5% to at least 1% of the gross domestic product (GDP), 50% of which should go to the independent scene. Our demands are: Adequate remuneration for artistic labour! No public funding without adequate remuneration for artistic labour! *Pay the artist now!*

2. Guidelines for fair remuneration in the visual arts. What is that?

The *Guidelines* focus on activities in exhibition operations and provide non-binding recommendations in the form of base rates for adequate remuneration for self-employed artistic labour. The recommendations in the

² Median income means that 50% of all people (visual artists) have an income above that amount and the other half an income below that amount.

Guidelines are related exclusively to the labour costs of artists (entrepreneurial salary). The *Guidelines* are not binding for artists and clients. It represents a calculation aid.

Along with typical activities in the visual arts, the *Guidelines* lists non-binding but specific figures for the amount of base rates. These figures are intended as an adequate compensation for the customary minimum amount of labour (labour costs). A *Fee Chart* with non-binding recommendations for hourly rates for a further range of self-employed activities in the visual arts supplements the base rates recommended in the *Guidelines*.

3. Where do the base rates come from? How are they calculated?

The figures (for a selection of typical activities of visual artists in exhibition operations) are based on practical knowledge of the minimum amount of work, which as a rule cannot be undercut. Two examples: the figure for an artist talk is based on a minimum workload of around 3.5 to 7 hours – depending on professional experience and routine, from coordinating the request to preparing and carrying out the artist talk to invoicing the fee, including the proportionate workload for bookkeeping, tax declaration, etc. The figure for participation in a group exhibition with eight or more artists assumes a minimum workload of about 6 to 11 hours – depending on professional experience and routine.

In the case of projects with greater complexity, it will be necessary to exceed the recommendations accordingly. For exceptionally less complex projects, it might be appropriate to go below the recommendations.

The recommendations for fees in the *Guidelines* are regularly adjusted – not each year in general, but at the latest once inflation exceeds 5% since the last adjustment of the recommended base rates listed in the *Guidelines*. In this case, adjustments are made at the same time as the next annual adjustments to the recommended hourly rates in the *Fee Chart* (derived from the collective bargaining agreements). The extent of the adjustments in the *Guidelines* are also based on the adjustments in the *Fee Chart*; however, in the *Guidelines* we always aim for round amounts.

4. Where do the hourly rates in the Fee Chart come from? How are they calculated?

The non-binding recommendations for hourly rates for self-employed labour in the visual arts tie in with the *Fair Pay Fee Chart*³ of the *TKI – Tiroler Kulturinitiativen* for self-employed cultural labour. This fee chart in turn is derived from the salary scheme for associations of the GPA (Union of Private Sector Employees, Printing, Journalism, and Paper). The employment groups used in the GPA salary scheme are defined in the catalogue of works agreement samples for associations. Different professions and activities – depending on qualifications, degree of responsibility and, if applicable, managerial role – are assigned to different employment groups.

The *TKI – Tiroler Kulturinitiativen* have adopted and elaborated this scheme for self-employed activities in self-employed cultural labour. The *Fee Chart* for self-employed labour in the visual arts is linked to these efforts; we have expanded the list of activities in particular to include examples from the visual arts. The standard hourly rates are ultimately based on two factors: type of activity and years of employment.

The GPA salary scheme for associations is adjusted annually in accordance with the results of negotiations between the social partners (interest groups for employees and employers) on the collective agreement for employees in the commercial sector. We have also included this component – similar to the *TKI – Tiroler Kulturinitiativen* in the fee chart for self-employed cultural labour – in the *Fee Chart* for self-employed labour in the visual arts.

More detailed information regarding the *Fair Pay Fee Chart* of the *TKI – Tiroler Kulturinitiativen* is contained in the explanatory notes of the fee chart for self-employed cultural labour of the *TKI – Tiroler Kulturinitiativen*.⁴

5. How do base rates and hourly rates work in combination?

The non-binding, recommended base rates offer an initial orientation by way of example for fair remuneration for artistic labour, e.g. for the participation in an exhibition or an artist talk. The non-binding recommendations for

³ <https://www.tki.at/19/arbeitsfaire-bezahlung-fuer-kulturarbeit>

⁴ <https://www.tki.at/19/arbeitsfaire-bezahlung-fuer-kulturarbeit>

hourly rates supplement the base rates according to requirement and can also be used for a wide range of artistic activities in terms of individual commissions and projects. They should help estimate appropriate remuneration for the actual workload required for the agreed service to be provided.

The *Guidelines* with recommendations for base rates focus on activities in exhibition operations, the supplementary *Fee Chart* with recommended hourly rates focuses on artistic production and represents a calculation aid, in particular for planning individual projects. In combination, the base rates and hourly rates represent a calculation aid for artists and everyone working with visual artists professionally.

6. Are the base rates listed in the Guidelines and the hourly rates listed in the Fee Chart binding? Can I enforce them legally?

No. The base rates recommended in the *Guidelines* and the hourly rates recommended in the *Fee Chart* are not legally binding – neither for artists, nor for clients. They are non-binding recommendations for fair remuneration for self-employed labour in the visual arts.

The entitlement to fees ultimately results from the agreement made between the contractor and the client. When agreeing on an adequate (artist) fee, the actual workload for the agreed service to be provided must be taken into account. In the case of projects with greater complexity, it will be necessary to exceed the base rates accordingly. In this case, the non-binding, recommended hourly rates offer a calculation aid. For exceptionally less complex projects it might be appropriate to go below the recommendations.

7. When would the base rates be insufficient? What are projects with greater complexity?

Whenever the assumed minimum amount of work – depending on professional experience and routine, e.g. 3.5 to 7 hours for the preparation and implementation of an artist talk or 6 to 11 hours for the participation in a group exhibition with eight or more artists – is exceeded, it will be necessary to exceed the base rates. Another example would be an artist lecture requiring extensive preparation – for example due to extensive research, or if the artist

lecture is not agreed upon in German or not in the first language of the contractor.

8. When would it be appropriate to go below the base rates? What are exceptionally less complex projects?

Whenever the regular minimum amount of work should drop below the average workload, it might be appropriate to go below the base rate. For example, in the case of an artist lecture that has already been prepared and remunerated that is given again in the same context.

9. What is the exhibition fee?

The exhibition fee is intended as remuneration for the labour involved in participating in an exhibition with one or more artistic works, in particular for communication and organization – regardless of whether existing or new artistic work is presented.

10. Which type of artistic labour of the artist does the exhibition fee comprise?

The exhibition fee exclusively comprises labour costs, i.e. the entire communication and organizational effort, from the initial inquiry to the completion of the project. The non-binding base rates recommended in the *Guidelines* for the participation in an exhibition will only be able to cover participations with a minimum amount of labour.

In particular, the exhibition fee is intended as remuneration for the labour involved in the following activities (detailed services): clarification of a participation in the exhibition (including conditions) and selection of the work/s (including, if necessary, an appointment with the curator in the studio); inspecting the condition of the selected work/s; for a physical work: inspecting/adapting the packaging and work preparation/packaging up to transportation; in the case of a digital work: verification of the formatting, clarification of upload or other data transfer procedures, preparation of data/storage media if necessary; for a performance: run-through/s, if necessary technical inspections/lights/sound check, if necessary preparation of shipping/transportation of props/stage elements/costumes; clarifying arrangements regarding the submission of the work or transport (when, how,

etc.); instructions on art handling; providing work details (title, technique, date, etc.) and short texts with information about the work or about each work selected for the exhibition; providing information about possible co-authors, rights holders, and any rights management by collecting societies; in the exhibition venue: if necessary/on request by the curator, additional verification by the artist, participation in the exhibition opening; on-time invoicing (fees, if necessary invoicing of other agreed expenses).

11. What is not covered by the exhibition fee? What has to be paid additionally?

The exhibition fee is intended as remuneration for the labour required to participate in an exhibition. Additional services and other project-related variable costs that (can) arise in the course of participating in an exhibition – e.g. transportation expenses, travel expenses, cost of materials, and other production costs for any new work that has been agreed as well as the adaptation of existing work – are to be paid additionally by agreement. Copyright claims are also not covered by the exhibition fee. Proportional fixed costs (e.g. studio rent) are to be taken into account individually in the artist's fee structure. For the production of a new work for an exhibition (commissioned work), it is necessary to agree on a production budget and an adequate artist fee.

12. Why do the non-binding, recommended base rates for exhibition fees depend on the number of participating artists?

For artists, a solo exhibition means more work in the vast majority of cases compared to the participation in a group exhibition with many artists. In a solo exhibition, the collaboration with the curator is usually more intense, the number of works shown is larger, and the associated amount of work is more extensive. The base rates for the exhibition fee are therefore scaled according to the number of artists involved. In the case of a group exhibition with eight or more participating artists, the base rate no longer changes. This is based on the practical knowledge that in the case of exhibitions of this scope or greater, participation with only one work per artist is likely.

Exceptions prove the rule, so in any case the following consideration applies: when agreeing on the fee and when assessing the adequateness of the fee, the

actual amount of work for the agreed service to be provided must be taken into account.

13. How can it be that, according to the Guidelines, an exhibition with four artists is “more affordable” for the organizer than an exhibition with three artists?

The non-binding, recommended base rates for exhibition fees are based on practical knowledge of the regular minimum amount of work. The base rates are based on the workload of the artist and exclusively comprise labour costs (entrepreneurial salary).

An exhibition with two or three participating artists (base rate of exhibition fee: 800 euro per artist) means more work for the individual artist in the vast majority of cases compared with the participation in a small group exhibition with four or more artists (base rate of exhibition fee: 500 euro or 350 euro per artist). (Also see 12. “Why do the non-binding, recommended base rates for exhibition fees depend on the number of participating artists?”) In any case, the following consideration applies: when agreeing on the fee and assessing the adequateness of the fee, the actual amount of work for the agreed service to be provided must be taken into account.

14. Why do we recommend an exhibition fee for artist collectives that is 1.5 times the exhibition fee for a single artist?

Working in a collective requires additional coordination efforts within the collective. If a collective is asked to participate in an exhibition, we recommend 1.5 times the base rate for an exhibition participation by an individual artist – for each artist collective (not per artist), regardless of the size of the collective.

Moreover, the following consideration equally applies in this case: when agreeing the fee and when assessing the adequateness of the fee, the actual amount of work for the agreed service to be provided must be taken into account.

15. Who receives an exhibition fee?

The exhibition fee is due to each artist and each artist collective involved in an exhibition with one or more work/s.

16. Are there exceptions with regard to exhibition fees?

There is no exhibition fee for exhibitions in cooperation with commercial galleries (art trade), since the gallery provides professional services for the commercial distribution of the art work. It may also be legitimate to forgo paying exhibition fees for exhibitions that are organized in the context of/as part of artistic training (e.g. classes, annual/end of term presentations, art tours).

17. Who pays the exhibition fee?

The exhibition fee is paid by the clients – e.g. art venues, exhibition venues, festivals, or other organizers of exhibitions.

18. ... and in case the budget for exhibition fees is insufficient?

Art is labour and needs to be remunerated. Exhibitions are not possible without artistic labour. Our demand is fair remuneration of all (artistic and non-artistic) labour that is required for the implementation of an exhibition (as well as other projects, events, etc.).

We are aware that the non-binding fee recommendations are not yet feasible for many in the independent scene. With our demand for adequate remuneration, we also want to invite everyone working professionally with visual artists to collaborate in the effort of establishing fair remuneration and to use the *Guidelines* as a calculation aid in order to jointly and consistently highlight the financial requirements, e.g. with regard to funding applications.

19. But artists are still able to sell their work in the exhibition... What!?

Only a few established visual artists (including significantly more male artists) manage to make a living from sales of their work. Visual artists predominantly work in project-related, site-specific, interdisciplinary, or research-based contexts.

It is not uncommon for their work to represent contributions to socio-political disputes rather than items for sale. At the same time, exhibition venues usually do not sell artworks.

20. What is a cancellation fee? When is it paid?

We recommend the cancellation fee – scaled according to the short-term nature of the cancellation – if exhibitions or other commissions are cancelled by the organizer. It is intended to cover the labour costs for preparatory labour that has been carried out. It should also be considered that artists (and other contractors in the visual arts) sometimes have to cancel other projects/commissions when agreeing to a specific project/commission – without a cancellation fee, this would mean an additional financial disadvantage/damage. In particular for larger projects/commissions, we recommend agreeing partial payments for partial services.

21. What is the entrepreneur's salary?

Visual artists are usually solo self-employed (so called “one-person company”). The entrepreneurial salary is the financial remuneration for the work of the entrepreneur, but cannot (in contrast to other forms of company) be paid out as a salary in one-person companies. Therefore, the entrepreneurial salary must be considered as an important part of the financial planning of the entrepreneurial activity (e.g. as a self-employed artist). The goal of financial planning is not only to cover expenses, but also to ensure that the entrepreneur is adequately remunerated.

The entrepreneurial salary covers personal living costs: rent, food, mobility, leisure time, financial obligations, etc. – for the entrepreneurs themselves as well as for people for whom there is a duty of care, e.g. children. Social security contributions, taxes and other charges also need to be covered by the entrepreneurial salary. Possible financial losses due to illness or accidents, as well as entitlement to holidays can and should also be taken into account. All of these items are part of the individual fee structure.

How is the entrepreneurial salary calculated? As a guideline: what would an employed person earn in a comparable job (e.g. with respect to qualifications and responsibility) in one year? In addition to that assumed gross annual income, surcharges have to be added for those costs that are partly covered by

the employer (social security, taxes, etc.) in the case of employees. These costs are already taken into account in the *Fee Chart* (recommendations for hourly rates for fair remuneration for self-employed labour in the visual arts). For more detailed information on the calculation on which the recommended hourly rates are based, we refer to the explanatory notes in the fee chart for self-employed cultural labour of the *TKI – Tiroler Kulturinitiativen*.⁵

22. What are variable costs? How are they taken into account?

Variable costs are incurred depending on the specific artistic activity and specific artistic project. These are those expenses that are incurred when a certain service is provided, e.g. cost of materials, transportation expenses, travel expenses, licenses, event-related childcare expenses, salaries of project staff, rent for exhibition venues, etc.

Certain variable costs (e.g. cost of materials, transport expenses, travel expenses, etc.) often can or should be invoiced directly and without changes to the client, which effectively makes them a transitory item. This is to be taken into account accordingly in the fee invoice. It is important to remember that such expenses do not change the entrepreneurial salary and have no impact on other cost items.

23. What are fixed costs? How are they to be taken into account?

Fixed costs are incurred constantly, regardless of the order situation or specific, individually initiated projects and plans. These are running costs, e.g. the rent and operating costs of a studio, work tools, telephone and internet expenses, depreciations, business insurance coverage, etc.

Fixed costs are the expenses that artists have to bear even if a certain artistic activity or project-related service is not provided at all. The fixed costs are very different for each individual; they are to be taken into account proportionately in the fee structure.

⁵ <https://www.tki.at/19/arbeitsfaire-bezahlung-fuer-kulturarbeit/>

24. Who drafted the Guidelines? And why?

The *IG Bildende Kunst* and *Künstler:innen Vereinigung Tirol* jointly developed the recommendations for fair remuneration in the visual arts (base rates and hourly rates) as a calculation aid in particular for visual artists and everyone working with visual artists professionally; for the self-empowerment of artists in fee agreements; as a personal commitment in the concerted struggle for fair remuneration; and as a political instrument to advocate jointly for the adequate financing of artistic projects and appropriate art and culture funding.

With the *Guidelines* (recommendations for base rates) and the *Fee Chart* (recommendations for hourly rates) for fair remuneration for self-employed labour in the visual arts, we want to promote the establishment of adequate remuneration for artistic and non-artistic labour in the visual arts. Following several years of research, investigating examples of good practice, continual exchange with other special interest groups (a special thanks to *TKI – Tiroler Kulturinitiativen*), participation in national and international symposia, hosting numerous workshops and discussion events, and in particular two state-wide networking and work meetings with artists associations, artists and other representatives of exhibition venues of the independent scene (Vienna 2018 and Innsbruck 2020), the current recommendations for base rates and hourly rates are a specific result of the exchange and knowledge acquired in recent years. We express our gratitude to everyone who contributed with their experience and input. First published in July 2021, we regard the present paper as a *work in progress* and a starting point for further discussion. Our demand remains: *Pay the artist now!*

The *IG Bildende Kunst* is a special advocacy group for visual artists in Austria. It strives to improve the social and economic situation of visual artists as well as the prevailing conditions for artistic work. Since 2016, the demand *Pay the artist now!* has remained at the center of its political advocacy efforts.

The *Künstler:innen Vereinigung Tirol* is a forum for art in Tyrol. It is a non-profit, politically independent association of visual artists based in Innsbruck. One of the association's purposes is to represent and promote the cultural, economic, and social interests of visual artists.

25. Are there further types of recommendations for fair remuneration for artistic and cultural labour?

In recent years, numerous initiatives and campaigns have been dedicated to the promotion and establishment of fair remuneration for artistic and cultural labour with particular intensity and gradual success – in Austria and on an international level. Self-organized interest groups in Austria have prepared recommendations for art and cultural mediation, design, cultural labour, rehearsal and performance time in the performing arts (e.g. performance), readings, compositions, live performances by musicians, etc. International examples for the visual arts supplement a collection of fee recommendations and guidelines located on the website of the *IG Bildende Kunst*.

Fee guidelines and recommendations for fair remuneration in artistic and cultural labour (on a national and international level):

www.igbildendekunst.at/infomaterial/honorare/#oesterreich

www.igbildendekunst.at/infomaterial/honorare/#international

26. What's in the future? Pay the artist now!

With the demand *Pay the artist now!* we are also politically committed to fair remuneration for artistic labour. Positions, actions, discours:

www.igbildendekunst.at/themen/kunst-und-geld

Innsbruck / Vienna, February 2023

Credits

The first version of the guidelines, fee chart, and FAQ were created in the first half of 2021, first published in July 2021. Editorial team (guidelines, fee chart, FAQ): Sheri Avraham, Jannik Franzen (until April 2021), Vasilena Gankovska, Daniela Koweindl for the IG Bildende Kunst. Petra Poelzl (until March 2022), Bettina Siegele (since November 2022), Andrei Siclodi (from July 2022 to July 2023), Michael Strasser for the Künstler:innen Vereinigung Tirol. German proofreading: Sylvia Köchl. English translation: Martin Wimmer. English proofreading: Sam Osborn. Graphic design (PDF): Almut Rink. **Thanks to:** Helene Schnitzer (TKI – Tiroler Kulturinitiativen), Florian Prischl (Rechtsanwalt, svlaw.at), Sabine Ofenbach (IG Bildende Kunst).